

ADAM WANG (STATE BAR NUMBER 201233)

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Attorney for Plaintiff

Tom Tang

UNITED STATES DISTRICT COURT

FOR DISTRICT OF NORTHERN CALIFORNIA

David Cai

Plaintiff,

vs.

CCL GROUP INC., DBA YOTAKA SUSHI
BAR & GRILL, EVELYN TANG & DOES 1
TO 10,

Defendants

Case No.: C07-06444 WHA

CASE MANAGEMENT STATEMENT

Date: 4/23/2008

Time: 9:30 a.m.

Court Room: F

Plaintiff to the above-entitled case submits this Case Management Statement and requests that the Court adopt the Statement in issuing its Case Management Order.

DESCRIPTION OF THE CASE

1. A brief description of the events underlying the action:

Plaintiff alleges that he was employed by defendant as a restaurant worker. Plaintiff claims that during his employment he was not paid overtime compensation although he worked in excess of 40 hours a week or 8 hours a day on regular basis.

Plaintiff's complaint alleges violations of California Labor Code section 510, violation of the Fair Labor Standards Act, 29 U.S.C. § 216 (b) *et seq.*, failure to provide meal and rest periods in violation of California Labor Code §226.7, waiting time penalties under California Labor Code Section 203, attorney's fees, costs and fee, costs and pre-judgment interest pursuant to

California Labor Code § 1194 (a) and 29 U.S.C. § 216 (b) and violation of California Business and Professions Code section 17203.

2. The principal factual issues which the parties dispute:

(a) The number of hours plaintiff worked

3. The principal legal issues which the parties dispute:

Defendants allege that Plaintiff did not work overtime and/or that he did not get meal periods.

4. The other factual issues which remain unresolved

None at this time.

5. The parties which have not been served and why

None.

6. The additional parties which the below-specified parties intend to join and the intended time frame for such joinder:

Defendants do not intend to add any additional parties at this time.

7. The following parties consent to assignment of this case to a United States Magistrate Judge for jury trial:

Defendants consent to the assignment of this case for jury trial before a Magistrate Judge.

ALTERNATIVE DISPUTE RESOLUTION

8. The parties have not filed ADR Certification and/or Stipulation Selecting an ADR Process papers even subsequent to the Court's Notice of Noncompliance with Court Order and/or of the need for ADR Phone Conference because Plaintiff's counsel has failed to contact Defendants' counsel even subsequent to said counsel's call and letter to Plaintiff's counsel, Mr. Wang, subsequent to said Notice; such letter is attached hereto as Exhibit A.

9. Other information regarding ADR process or deadline.

Defendants do agree to participate in the Court sponsored mediation.

DISCLOSURES

10. The parties certify that they have made the following disclosures:

Defendants agree to make the disclosure no later than May 10, 2008.

DISCOVERY

11. The parties have agreed to the following discovery plan:

- (a) Defendants agree to adhere to the limitations set forth in the Federal Rules of Civil Procedure;
- (b) Fact discovery cutoff on December 1, 2009;
- (c) Last day of hearing on dispositive motion on February 1, 2009;
- (h) Defendant agrees to meet and confer concerning any modifications to this plan.

TRIAL SCHEDULE


12. The parties request a trial date as follows:

March 2009

13. The parties expect that the trial will last for the following number of days:

5-7 days

Dated: April 18, 2008

By: 
Ronald S. Galasi, Esq.
Attorney for Defendants
CCL Group Inc. & Evenlyn Tang

LAW OFFICES OF
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April 16, 2008

SENT VIA FACSIMILE TO 408/286-6619

Dal Bon & Wang
Attn: Adam Wang, Esq.
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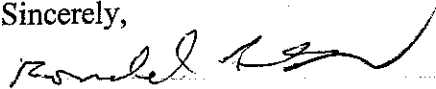
RE : Cai vs. CCL Group, Inc.
Case No. : 07-06444 JL

Dear Mr. Wang:

I just tried calling your office to discuss the Notice regarding Noncompliance with the Court Order and the ADR process attached hereto.

Please contact my office immediately to discuss same.

Sincerely,



Ronald S. Galasi

RSG/ag